REMARKS

Claims 1-9 are pending. Claims 1, 8, and 9 are currently amended. These amendments are supported throughout the specification (see, for example, pages 7-8).

The following remarks are in response to the Office Action mailed August 13, 2009.

Status of Pending Claims

Claims 1-9 stand rejected under 35 U.S.C. § 112 as failing to satisfy the written description requirement.

Claims 1-6 and 8-9 stand rejected under 35 U.S.C. § 112 as failing to satisfy the enablement requirement.

Claims 1-6 and 8-9 stand rejected under 35 U.S.C. § 112 as being indefinite.

Claims 1, 3, 4, and 6-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo (U.S. Pat. No. 5,287,194) in view of Hanson (U.S. Pat. No. 6,148,346).

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo in view of Hanson and further in view of Kitagawa (U.S. Pat. No. 5,799,206).

Claim 5 stands rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo in view of Hanson and further in view of Ogishima (U.S. Pat. App. Pub. No. 2002/0083001).

Claim 1 has been amended, and now requires a remote printing server which receives data from a client computer via a local network and sends data over a global network so as to print the data on a remote printer which does not exist in the local network, comprising: (a) print response means for performing a print control protocol for a local printer in the local network so that the client computer can recognize said remote printing server as a local printer in the local network, receiving print data from the client computer and performing a response to the client computer for completing a print process before the print data is spooled; (b) spooling means for spooling the print data received by said print response means; (c) transferring data conversion means for converting the print data spooled by said

spooling means into a format in which the job can be transferred to the remote printer over the global network using a predetermined transfer protocol; and (d) remote transfer means for transferring the print data converted into a transferrable format by said transferring data conversion means to the remote printer over the global network using the predetermined transfer protocol.

Claim Rejections – 35 U.S.C. § 112

Claims 1-9 stand rejected under 35 U.S.C. § 112 as failing to satisfy the written description requirement. Claims 1-6 and 8-9 stand rejected under 35 U.S.C. § 112 as failing to satisfy the enablement requirement. Claims 1-6 and 8-9 stand rejected under 35 U.S.C. § 112 as being indefinite. All of these rejections are essentially based on the same assertion: that the claim limitation of "informing the client computer of a completion of a print process in the local network before the print data is actually printed" is not taught by the specification, and is unclear.

These rejections are all respectfully traversed, on the ground that claims 1, 8, and 9 have been amended to remove the limitation at issue. The amendments to the claims are supported at pages 7 and 8 of the specification (see especially page 7, lines 4-10 and page 8, lines 5-14 and 25-26).

In light of these amendments, Applicant respectfully requests withdrawal of the pending § 112 rejections of claims 1-6 and 8-9.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3, 4, and 6-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo in view of Hanson. Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo in view of Hanson and further in view of Kitagawa. Claim 5 stands rejected under 35 U.S.C. § 103 as being unpatentable over Lobiondo in view of Hanson and further in view of Ogishima. These rejections are all respectfully traversed, for the reasons provided below.

First, claim 1, as currently amended, requires the remote printing server to perform a response to the client computer for completing a print process before the print data is spooled.

In contrast, Lobiondo discloses that a print job is assigned to a plurality of printers on a network so that a print can be finished within a requested time. According to a preferred embodiment, the scheduler allows a user to enter a plurality of criteria relating to job requirements including a required completion time for the job. The scheduler automatically optimally schedules the job to one or a plurality of printers based on availability and capability of the printers located on the network. If all printers are currently printing, but the time constraint is not pressing, the job can be scheduled to the next available printer on the network. If the network has available printers, but a single printer is incapable of completing the job by a required time, the scheduler can allocate portions of the job to a plurality of printers which can print the job in parallel to speed up the completion time to meet the requested time constraints. This may include allocating or dividing the job between a plurality of printers at locations remote from one another. The user is then informed where the job is being printed and when completion is expected. See, for example, Lobiondo, col. 2, lines 48-65.

While the Office Action asserts that Lobiondo teaches the claim 1 limitation of "print response means for performing a print control protocol for a local printer in the local network so that the client computer can recognize said remote printing server as a local printer in the local network," Applicant respectfully disagrees. The citations to Lobiondo made in the Office Action do not teach a means for allowing a client computer to recognize a *remote* printing server as a *local* printer in the *local* network.

Moreover, Lobiondo fails to teach that the remote printing server performs a response to the client computer for completing a print process before the print data is spooled.

Hansen discloses that a server receives data from a client via LAN and transmits the received data via the internet. Hanson's system provides a dynamic device driver system that provides two-way communication between various peripheral devices and various

operating systems coupled across various types of networking systems. The host computer system controls a peripheral device coupled to a host computer system having an operating system with a translation layer and a processor, wherein the peripheral device has an associated peripheral device driver and the host computer system is coupled to the peripheral device via a connection selected from the group of a direct connection, local area network connection and public data network connection. The host computer system assigns an address to the peripheral device to distinctly identify the peripheral device to the host computer system and selects the peripheral device according to the assigned address. Also the host computer system retrieves the stored peripheral device driver of the selected peripheral device, interprets the retrieved peripheral device driver and controls the peripheral device according to user initiated controlling commands in the operating system through the translation layer to the interpreted peripheral device driver.

Hanson does not disclose or suggest that the remote printing server performs a response to the client computer for completing a print process before the print data is spooled.

Since neither Lobiondo nor Hanson discloses or suggests that the remote printing server performs a response to the client computer for completing a print process before the print data is spooled, Applicant respectfully submits that all pending claims (which all share this limitation) are allowable over the cited references.

Second, the Office Action improperly dissects claim 1, for example, into isolated components, asserts that each of those separate components is in the prior art, and then based on those assertions concludes that the invention of claim 1 is obvious. While this approach makes rejecting claims very easy, it cannot be the proper approach. Almost all inventions are comprised of various elements that can be found in the prior art. What makes them inventions in many cases is the fact that they are novel *combinations* of those prior art elements.

Recognizing this critical fact, the MPEP states: "In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the

differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious." MPEP 2141.02. The Office Action's rejections are not in compliance with this requirement – at no point is the invention as a whole discussed.

Third, Applicant respectfully submits that the Office Action's combination of Lobiondo with Hanson is improper. The Office Action's asserted motivation to combine those references:

> such a modification would ensure the field of data processing and, more particularly, to an improved dynamic device driver that provides communication between various devices and various operating systems across various types of networking systems

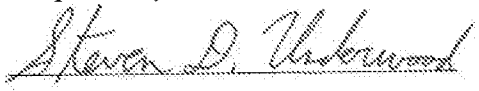
is improper for several reasons: (a) it is not understandable ("to ensure the field of data processing" is unclear); (b) it is a conclusory assertion supported by no reasoning; and (c) it is simply an excerpt from Hanson's "Field of the Invention" section (if such a system is taught by Hanson, why would one need to consult Lobiondo?).

Reasons (a) and (c) are believed to be self-explanatory. Reason (b) is because the Office Action fails to satisfy the requirements of MPEP 2142 and the U.S. Supreme Court's recent *KSR* decision– that is, the Patent Office's asserted motivation to combine Lobiondo with Hanson is a conclusory statement that lacks "articulated reasoning with some rational underpinning," as required by MPEP 2142.

In light of the above, Applicant respectfully requests reconsideration and withdrawal of the pending rejections.

December 14, 2009

Respectfully submitted,



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